

LUMBERMAN'S UNDERWRITING
ALLIANCE,

Plaintiff,

v.

PATRICK J. FLEMING, NORTIM
CORPORATION and NORTIM PLUS
CORPORATION,

Defendants.

IN THE UNITED STATES DISTRICT
COURT FOR THE WESTERN DISTRICT
OF PENNSYLVANIA

Civil Action No. 00-CV-1444

(Related to C.A. No. 94-CV-1169)

MOTION FOR ORDER TO AMEND WRITS OF
REVIVAL OF LIEN OF JUDGMENT *NUNC PRO TUNC*

Lumberman's Underwriting Alliance ("Lumberman's") submits this Motion for Order to Amend Writs of Revival of Lien of Judgment *Nunc Pro Tunc* to July 26, 2005 and, in support hereof, states as follows:

1. On July 26, 2005, pursuant to Praeceptum, individual Writs of Revival were issued by the Clerk of Courts to continue the original lien of judgments in the amounts of \$98,417.06; \$957,348.48; \$2,000.00, \$37,220.47 and \$41,772.70 as per the copy of the Writs of Revival attached hereto as Exhibit A.

2. On August 4, 2005, the Defendants were served with a copy of the Writs of Revival by certified mail/restricted delivery.

3. While in the process of preparing the ten day Notices of Intent to Enter Judgment against the Defendants, it was discovered that the Writs of Revival provided to the Clerk of Courts incorrectly listed the middle initial of Patrick Fleming. The Writs of Revival should be directed to Patrick J. Fleming and not Patrick D. Fleming.

WHEREFORE, Lumberman's Underwriting Alliance respectfully requests this Court to direct the Clerk of Courts to amend the original Writs of Revival attached hereto, to state the correct middle initial of Patrick Fleming to Patrick J. Fleming, *Nunc Pro Tunc to July 26, 2005* and mark the docket accordingly.

ECKERT SEAMANS CHERIN & MELLOTT, LLC

By: /s/ James H. Norris

James H. Norris
PA I.D. # 28348
44th Floor, 600 Grant Street
Pittsburgh, PA 15219
(412) 566-6000

Attorneys for Plaintiff

Dated: September 15, 2005

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing Motion for Order to Amend Writs of Revival of Judgment *Nunc Pro Tunc* to July 26, 2005 was served on the following by first class U.S. mail, postage prepaid, this 15th day of September, 2005.

Patrick J. Fleming
3336 Ivanhoe Street
Pittsburgh, PA 15241

Nortim Corporation
c/o Patrick J. Fleming, President/CEO
3336 Ivanhoe Street
Pittsburgh, PA 15241

Nortim Plus Corporation
c/o Patrick J. Fleming, President/CEO
3336 Ivanhoe Street
Pittsburgh, PA 15241



Merilou Duttine, Legal Assistant